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**SCHOOL ADMISSION ARRANGEMENTS 2025/2026**

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**Purpose of the Report**

1. To provide Members with the opportunity to carry out pre-decision scrutiny of proposals, attached at **Appendix A**, prior to its consideration by Cabinet at its meeting on the 21 March 2024.
2. This report also sets out details of discussions between the **SOP Task & Finish Group** with the Cabinet Member and SOP Officers on the 12 March 2024, which is set out in paragraphs 10 and 11 in this report.

**Structure of Papers**

3. Attached to this report are the following:
  - **Appendix A** – the draft Report to Cabinet – 21 March 2024. This in turn has a number appendices, namely;
    - **Appendix 1** – Draft School Admissions Policy 2025/26
    - **Appendix 2** – Formal Responses
    - **Appendix 3** – Updated Draft School Admissions Policy 2025/26
    - **Appendix 4** – Single Impact Assessment
4. Also enclosed in this report (at paragraphs 10 and 11) are the views and observations of the SOP Task & Finish Group, which considered the Cabinet Proposals in detail at its meeting with the Cabinet Member and officers on the 12 March 2024.

## **Background to the Cabinet Proposal**

5. The Education (Determination of Admission Arrangements) (Wales) Regulations 2006 and the School Admissions Code set out the procedure which admission authorities should follow when determining their admission arrangements, including that proper consultation must be carried out and that the arrangements should be determined by 15 April in the school year beginning two years before the school year which the arrangements will be for.
6. In order to comply with the legislation above, School Admission arrangements for implementation in the 2025/2026 academic year (i.e., from September 2025) must be determined on or before 15 April 2024.
7. The draft Cabinet report attached at **Appendix A** is to inform the Cabinet of responses received following public consultation on the Council's School Admission Arrangements 2025/2026.

## **Further Information Highlighted in the Cabinet Report**

8. The Cabinet Report attached at **Appendix A** is set out as follows:
  - **Summary of the Council's School Admission Arrangements 2025/2026 Consultation** - paragraphs 5 – 9, plus *Appendix 1*
  - **Responses received in respect of the draft admissions policy during the consultation period** - paragraphs 10 - 13
  - **Formal Responses and appraisal of responses** - paragraphs 14 – 33, plus *Appendices 2 and 3*
  - **Other responses received and appraisal of responses** - paragraphs 34 – 62
  - **Local Member consultation** – paragraph 63
  - **Scrutiny Consideration** – paragraph 64

9. The draft Cabinet report also provides details on the following areas:
- **Financial Implications** – paragraph 66
  - **Legal Implications** – paragraphs 67 - 73
  - **Human Resources Implications** – paragraph 74
  - **Traffic and Transport Implications** – paragraphs 75 - 76
  - **Property Implications** – paragraph 77
  - **Impact on the Welsh Language** – paragraphs 78 - 82
  - **Wellbeing of Future Generations** – paragraph 83
  - **Impact Assessment** – paragraph 84 and *Appendix 4 to the Cabinet Report*

### **SOP TASK & FINISH GROUP MEETING – 12 MARCH 2024**

10. On the 12 March 2024, the SOP Task & Finish Group (Councillors Bridgeman and Hopkins; and Patricia Arlotte) met with Councillor Merry and officers to consider this report in detail, and they agreed the following comments and observations. Members are requested to consider the following comments and add to them at this meeting.
11. Members are requested to note that references to “The Group” or “Group Members” relates to Members of the SOP T&F Group, not everybody in attendance.
- (i) Cllr Hopkins revisited an issue he raised during the consultation period relating to revised arrangements for keeping yourself on the waiting list and for it to be noted that the answer had been responded to in the response in the report (Appendix 2).
- (ii) The Group sought clarification on the out of chronologically age of applications (*paragraph 1.6 page 5 of 27 of the Admissions Policy document*) and talked around a particular case where (at school appeal) the parents of a child had requested their child be placed a year below and were advised by the LEA that the individual school would be responsible for this - but this was not clear in the Policy. It

was reiterated that the Policy stated that the Local Authority would look at each request, NOT the school. It was agreed that clarification of this issue would be considered and brought back to the scrutiny committee on the 20<sup>th</sup> March.

(iii) The Group raised an issue in relation to *Point 7.3 on page 18 of the Policy document* where it states “looked after children” was used as a term. As Cardiff generally used the term “children looked after” it was asked why this wasn’t used in the Policy. It was explained that legislation at the time of consultation still stated the term “looked after children” so this term was used in line with legislation, but this could be looked at and amended.

(iv) The Group discussed *Paragraph 7.5 on page 18 of the Policy document* relating to “compelling medical or social grounds” which stated that a “medical consultant or social worker” could make a recommendation. The Group sought clarity on whether this would include a GP. Recent training undertaken by a Member of the Group stated that a barrister (leading the training) had stated that a GP’s letter could be used if detailed and specific enough. The response stated that a GP’s letter is not currently used. The Group requested that, in light of the advice by the barrister, and GP’s letters being brought to appeals as evidence that this be considered further, clarified and reported back on in due course.

(v) The Group raised the issue of a consultee complaining that they had to complete two forms in the voluntary aided sector, which requested very similar information. It was responded that, in consultation with this sector, there was a varied response on retaining two forms. It is hoped that progress in this area in primary schools could pave the way for further refinements in the future.

(vi) Members raised an issue on *Page 9, para 57 of the Cabinet Report (Appendix A in scrutiny papers)* which refers to Cathays High School increasing its admission numbers to cope with the excess demand from Cardiff High School and sought further clarity on this. Responses stated that there will always be schools with more demand than supply (with Cardiff HS being one of them) but some of the demand is out of catchment.

### **Reason for Recommendations**

12. The Council is required to review its school admission arrangements annually and to agree the arrangements following appropriate consultation.

### **Recommendations set out in the Cabinet Proposals**

13. The Cabinet is recommended to:

- Determine the attached Council's draft School Admission Arrangements 2025/2026 as set out in the Admission Policy 2025/2026.

### **Scope of Scrutiny**

14. The scope of this scrutiny is for Members to consider and provide comments on the draft report to Cabinet, prior to its consideration of the report on the 20 March 2024. Members are also required to consider the comments and observations of the SOP Task & Finish Group when formulating the way forward for this Agenda Item.

## **Way Forward**

15. At this meeting, the following have been invited to attend. There will be a verbal introduction given at the beginning of the Item, with a Q&A session afterwards.

- Councillor Sarah Merry (Deputy Leader of the Council and Cabinet Member for Education)
- Richard Portas (Programme Director for the School Organisation Programme)
- Brett Andrewartha (School Organisation Programme Planning Manager)
- Michele Duddridge-Friedl (Operational Manager, School Organisation Programme Strategy)

16. This report will enable Members to provide any comments, concerns or recommendations to the Cabinet Member prior to its consideration by Cabinet.

## **Legal Implications**

17. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

18. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

## **RECOMMENDATIONS**

The Committee is recommended to:

1. Review and assess the information contained in the draft Cabinet Report and its appendices, attached at **Appendix A**, together with any information provided at the meeting;
2. Consider and agree the observations and comments of the Task & Finish Group, as highlighted in paragraphs 10 and 11 in this report.
3. Provide any recommendations, comments or advice to the Cabinet Member and senior officers prior to the report's consideration by Cabinet.

**Leanne Weston**  
**Interim Deputy Monitoring Officer**  
**14 March 2024**